United Nations S/PRST/2018/7

Security Council

Distr.: General
5 April 2018

Original: English

Statement by the President of the Security Council

At the 8223rd meeting of the Security Council, held on 5 April 2018, in connection with the Council's consideration of the item entitled "The situation in Burundi", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council remains deeply concerned over the political situation in Burundi, the slow progress of the inter Burundian dialogue led by the East African Community (EAC), and the lack of engagement by the Government of Burundi in that regard. It recalls its statement S/PRST/2017/13.

"The Security Council welcomes and supports the renewed commitment by the African Union (AU) and the EAC, expressed at the 30th AU summit and the 19th EAC summit, to a peaceful resolution of the political situation in Burundi through an inclusive dialogue on the basis of the Arusha Agreement of 28 August 2000 and the Constitution of Burundi, and reiterates its support to the facilitation led by former President B. Mkapa under the mediation of President Museveni. The Security Council remains deeply concerned over the slow progress of this dialogue and calls for all the Burundian stakeholders to participate actively and unconditionally in this process. It is crucial that all parties, most especially the Government, commit to the EAC led process and reach an agreement ahead of the 2020 elections. The Security Council further stresses that the dialogue is the only viable process for a sustainable political settlement in Burundi.

"The Security Council underlines the utmost importance of respecting the letter and the spirit of the Arusha Agreement, which has helped to sustain a decade of peace in Burundi and expresses concern that the situation prevailing in Burundi has seriously undermined the significant gains achieved through the Arusha Agreement, with devastating consequences for Burundi and the region. It urges the Guarantors of the Agreement to meet their obligations in this regard, to ensure that the entirety of the Agreement is adhered to.

"The Security Council calls upon the United Nations, the AU, the EAC, ICGLR and the Guarantors of the Arusha agreement to coordinate their efforts of assisting Burundian stakeholder settle outstanding issues in the implementation of the Arusha Agreement. The Security Council notes with appreciation the readiness of the AU to deploy the High Level Committee of Heads of State on Burundi.

"The Security Council reaffirms its strong commitment to the sovereignty, political independence, territorial integrity and unity of Burundi. The Security

18-05395 (E) 060418

Please recycle

Council stresses the importance of implementation of the Arusha Agreement, calls upon the Burundian authorities to initiate all political initiatives through a broad consensus of all stakeholders, which requires a political and security environment that induces the confidence of all political actors and, in this regard, expresses its strong support for the AU Decision at its 30th Summit. The Security Council expresses the need that these conditions be fully implemented in advance of planned political initiatives.

"The Security Council calls on States in the region to contribute to finding a political solution for the situation in Burundi, refrain from any interference, including through supporting the activities of armed movements in any way, and to respect their obligations under international law, and recalls in this regard commitments of the States in the region under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region and the 1951 Convention relating to the Status of Refugees.

"The Security Council notes its expectation that elections scheduled for 2020 in Burundi will be free, fair, transparent, peaceful, fully inclusive, with the participation of all political parties, and will ensure the full and equal participation of women throughout the process. It also underlines that considerable improvements to the political and human rights situation, in particular regarding fundamental freedoms, including for freedom of the press and of civil society actors such as human rights defender, and progress on reconciliation are necessary to enable credible elections.

"The Security Council underscores its deep concern regarding the continued worsening of the humanitarian situation, marked by nearly 180,000 internally displaced persons, 3.6 million people in need and more than 429,000 Burundians seeking refuge in neighbouring countries, and commends the host countries for their efforts, and calls upon governments in the region to ensure that their return is voluntary, based on informed decisions and in safety and dignity.

"The security Council notes that a number of bilateral and multilateral partners have suspended their financial and technical assistance to the Government of Burundi, in view of the situation in Burundi, and encourages bilateral and multilateral partners and the Government of Burundi to continue their dialogue with a view to the Government of Burundi creating conducive conditions for resumption of the assistance. The Security Council commends the assistance provided by bilateral and multilateral partners to alleviate the humanitarian situation and calls on member States to continue to provide support to respond to the humanitarian needs in the country.

"The Security Council strongly condemns all violations and abuses of human rights in Burundi, whoever perpetrates them, including those involving extra-judicial killings, sexual violence, arbitrary arrests and detentions; including those concerning children, forced disappearances, acts of torture and other cruel, inhuman and/or degrading treatment, harassment and intimidation of civil society, including human rights defenders, women's organizations, and journalists, restriction of fundamental freedoms, as well as indiscriminate use of grenade attacks, including against civilians.

"The Security Council reaffirms the primary responsibility of the Government of Burundi for ensuring security in its territory and protecting its population, with respect for the rule of law, human rights and international humanitarian law, as applicable. It urges the Government of Burundi to respect, protect and guarantee human rights and fundamental freedoms for all, in line with the country's constitution and its international obligations, to adhere to the

rule of law, to bring to justice and hold accountable all those responsible, including members of the security forces and violent actors affiliated to political parties, for crimes involving violations of international humanitarian law or violations and abuses of human rights, as applicable, including those involving sexual violence and all violations and abuses against children.

"The Security Council notes the steps taken by the Government to withdraw the bans of some civil society organizations, cancel some arrest warrants and release a number of detainees following the presidential pardon on 31 December 2017. The Security Council urges the Government of Burundi to take further steps to respect, protect and guarantee human rights and fundamental freedoms for all, in line with the country's constitution and its international obligations.

"The Security Council reiterates its regret at the decision by the Government of Burundi to suspend all cooperation and collaboration with the Office of the United Nations High Commission for Human Rights (OHCHR), which has been present in the country since 1995 to strengthen Burundi's rule of law institutions, and calls for a swift solution through dialogue between OHCHR and the Government in order to enable OHCHR to fully resume its activities, including its monitoring and reporting functions, and fulfil its mandate. The Security Council recalls the commitments the Government of Burundi undertook during the 36th Session of the Human Rights Council to re-establish full mutual cooperation with the Human Rights Council and OHCHR, including full cooperation with the Office of the High Commissioner in Bujumbura, and to accept the visit of a team of three experts from the Office of the High Commissioner to collect information on the human rights situation in Burundi. It notes that discussions regarding revisions to the draft memorandum of understanding between the Republic of Burundi and the United Nations concerning the updated terms for the Office of the High Commission for Human Rights in Burundi have been ongoing for over a year and urges the Government of Burundi to take steps to swiftly finalize the agreement with OHCHR without further delay.

"The Security Council reiterates its concern over the significant delays in the deployment of the AU human rights observers and military experts. It supports the AU call for the rapid signing of the Memorandum of Understanding relating to the activities of the human rights observers and the military experts of the AU, which will allow the AU human rights observers and military experts to fully operate in the country in fulfilment of their mandated responsibilities.

"The Security Council acknowledges the contribution of Burundian peacekeepers serving in UN and African Union-led peacekeeping operations and reiterates the importance of upholding the standards of the United Nations.

"The Security Council urges the Government of Burundi to reengage with international partners, especially the United Nations, in a constructive manner based on mutual trust. It reiterates its full support to the Secretary-General and his Special Envoy in their efforts to engage and work with the Government of Burundi to help overcome the current political impasse and foster an inclusive reconciliation process. It further calls on the Secretary General and the Government of Burundi to expeditiously finalize and implement the status of the Mission Agreement for the Office of the Special Envoy, in order to work with the Government of Burundi and other concerned stakeholders to support the EAC-led inter-Burundian dialogue and in the areas of security and rule of law, to engage with all stakeholders to the crisis, and work with all Burundian parties to develop confidence-building measures, to improve the human rights

and security situation, and foster an environment conducive to political dialogue. The Security Council welcomes the active engagement of the Peacebuilding Commission Burundi Configuration as a viable platform for dialogue between Burundi and its partners, using a holistic approach to address the political and socio-economic situation.

"The Security Council is determined to continue to closely follow the situation in Burundi."